

Notice of Allowability	Application No.	Applicant(s)	
	10/697,372	GALER, JIM	
	Examiner	Art Unit	
	Gregory J. Strimbu	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 1/5/06 and the tele. int. of 3/15/06.
2. ☒ The allowed claim(s) is/are 1,2,4-19,32 and 34-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>3/15/06</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Catherine S. Collins on March 15, 2006.

The application has been amended as follows:

In the claims:

1. A vehicular rear window assembly comprising:

a first fixed pane;

a second fixed pane;

a sliding pane;

a drive assembly for moving said sliding pane, said drive assembly including a selectively driven cable having a first enlarged end and a second enlarged end; and a support system comprising:

an upper horizontal member, a lower horizontal member, and a pair of spaced apart vertical members, said vertical members interconnecting said upper horizontal member and said lower horizontal member to define an opening, said fixed panes mounted between said upper and lower horizontal members; and

a carrier supporting said sliding pane for horizontal movement between open and closed positions, said carrier including an elongate body having an

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upper side with an upwardly facing channel for receiving a portion of said sliding pane therein and longitudinally opposed ends having outer surfaces generally orthogonal to said upper side, said body further including a keyhole-shaped opening comprising two differently sized openings in at least one of said outer surfaces of said ends spaced below said upper side for receiving and latching one of said ends of said cable to said carrier wherein said cable moves said sliding pane when said cable is driven.

2. The window assembly according to Claim 1, wherein said lower horizontal member has a lower track, said carrier moving said sliding pane between said open and closed positions in said lower track.

3. (cancelled)

4. The window assembly according to Claim 1, wherein one of said differently sized openings forms a receiving opening for receiving said one of said ends of said cable and the other one of said differently sized openings forms an elongate slot in communication with said receiving opening wherein said one of said ends of said cable is inserted into said receiving opening and then latched to said carrier when said cable is moved into said elongate slot.

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5. The window assembly according to Claim 4, wherein said carrier includes an abutment adjacent said elongate slot for latching said one of said ends of said cable to said carrier.
6. The window assembly according to Claim 5, wherein said elongate body includes a viewing opening for determining when said one of said ends is latched with said carrier.
7. The window assembly according to Claim 6, wherein said viewing opening is provided in said upper side of said elongate body.
8. The window assembly according to Claim 6, wherein said elongate body includes a second viewing opening for determining when said one of said ends is latched with said carrier.
9. The window assembly according to Claim 8, wherein said second viewing opening is provided in a lower surface of said elongate body.
10. The window assembly according to Claim 2, further comprising a cover for said lower track.
11. The window assembly according to Claim 10, wherein said cover includes at least one cable guide.

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12. The window assembly according to Claim 10, wherein said cover includes a pair of cable guides.

13. The window assembly according to Claim 11, wherein said cable includes a cable sheath and a cable wire, said cable guide including a terminal for said cable sheath.

14. The window assembly according to Claim 13, wherein said cover is engaged by said track.

15. The window assembly according to Claim 14, wherein said cover includes a cooperating structure and said track includes a cooperating structure engaged by said cooperating structure of said cover.

16. The window assembly according to Claim 15, wherein said cooperating structure of said cover comprises a projecting cooperating structure and said cooperating structure of said track comprises a slot.

17. The window assembly according to Claim 16, wherein said projecting cooperating structure comprises a lug.

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18. The window assembly according to Claim 14, wherein said cover includes a pair of cooperating structures and said track includes a pair of cooperating structures engaged by said cooperating structures of said cover.

19. The window assembly according to Claim 1, wherein each of said upper and lower horizontal members includes a channel-shaped member at least partially encapsulated in a polymeric material for defining upper and lower tracks, respectively, and said sliding pane being moved along said upper and lower tracks by said cable.

20-31. (cancelled)

32. A vehicular rear window assembly comprising:

a fixed pane;

a sliding pane;

a drive assembly for moving said sliding pane, said drive assembly including a selectively driven cable having a first enlarged end and a second enlarged end;

upper and lower tracks; and

a carrier supporting said sliding pane for horizontal movement along said upper and lower tracks between open and closed positions, said carrier including a body having an upper side with an opening for receiving a portion of said sliding pane therein, said body further including longitudinally opposed ends, at least one of said longitudinally opposed ends having an outer surface generally orthogonal to said upper

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side, said outer surface including a keyhole-shaped opening comprising two differently sized openings formed therein and spaced below said upper side, said at least one of said longitudinally opposed ends including a cavity behind said keyhole-shaped opening and in communication with said keyhole-shaped opening, said keyhole-shaped opening for receiving said first end of said cable, and said first end of said cable being latched to said body when said first end of said cable is extended through one of said differently sized openings and seated in said cavity wherein said cable moves said sliding pane when said cable is driven.

33. canceled

34. The window assembly according to Claim 32, wherein said cavity extends below said upper side.

35. The window assembly according to Claim 32, wherein the other one of said differently sized openings has a narrower width than said one of said differently sized openings.

36. The window assembly according to Claim 35, wherein said one of said differently sized openings comprises an upper portion and said other one of said differently sized openings comprises a lower portion.

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37. The window assembly according to Claim 36, wherein said portions of said cavities extend below said lower portions of said openings.

38. The window assembly according to Claim 32, wherein said cavity extends below said other one of said differently sized openings.

39. The window assembly according to Claim 32, wherein said carrier is positioned in said lower track.

40. The window assembly according to Claim 39, further comprising a cover for said lower track.

41. The window assembly according to Claim 40, wherein said cover includes at least one cable guide.

42. The window assembly according to Claim 41, wherein said cable includes a cable sheath and a cable wire, and said cable guide includes a terminal for said cable sheath.

43. The window assembly according to Claim 40, wherein said cover is engaged by said lower track.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach a vehicular window assembly comprising carrier having a body which has longitudinally opposed ends having outer surfaces generally orthogonal to said upper side, said body further including a keyhole-shaped opening comprising two differently sized openings in at least one of said outer surfaces of said ends spaced below said upper side for receiving and latching one of said ends of said cable to said carrier. See claim 1, lines 12-19. The prior art of record also fails to teach a vehicular window assembly comprising a carrier having a body including longitudinally opposed ends, at least one of said longitudinally opposed ends having an outer surface generally orthogonal to said upper side, said outer surface including a keyhole-shaped opening comprising two differently sized openings formed therein and spaced below said upper side, said at least one of said longitudinally opposed ends including a cavity behind said keyhole-shaped opening and in communication with said keyhole-shaped opening, said keyhole-shaped opening for receiving said first end of said cable, and said first end of said cable being latched to said body when said first end of said cable is extended through one of said differently sized openings and seated in said cavity. See claim 32, lines 7-19.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
March 15, 2006